UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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ROBERT L. MERCER,

Plaintiff,

-against-

RAILDREAMS, INC., and RICHARD TAYLOR,

Defendants.

---X

MEMORANDUM OF
DECISION AND ORDER
09-CV-13 (ADS)(WDW)

APPEARANCES:

Pinks, Arbeit & Nemeth
Attorneys for the Plaintiff
140 Fell Court, Suite 303
Hauppauge, NY 11787
By: Steven G. Pinks, Esq., Of Counsel

Ingerman Smith, L.L.P.
Attorneys for Defendant Richard Taylor
150 Motor Parkway, Suite 400
Hauppauge, NY 11788
By: Warren H. Richmond, III, Esq., Of Counsel

NO APPEARANCES:

Defendant Raildreams, Inc.

SPATT, District Judge.

The Clerk of Court having noted the default of the Defendant Raildreams, Inc. and based upon the Affidavit of Steven G. Pinks, and the applicable law, the Court hereby enters a default against the Defendant Raildreams, Inc., the amount to be determined by United States Magistrate Judge William D. Wall following an inquest as to damages, including reasonable attorneys' fees and costs. The Court hereby respectfully refers this matter to Magistrate Judge Wall. The Clerk of Court is to note the referral of this matter and terminate the motion for a default judgment.

SO ORDERED.

Dated: Central Islip, New York
March 3, 2010

/s/ Arthur D. Spatt
ARTHUR D. SPATT
United States District Judge